

CALIFORNIA ACUPUNCTURE BOARD

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State of California
Department of Consumer Affairs
Arnold Schwarzenegger, Governor



NOTICE OF MEETING ACUPUNCTURE BOARD

Board Chair

Shari Asplund

Board Members

Joan C. Chang, L.Ac.
Steven Tan, M.D., L.Ac.
Kenny G. Cherng, L.AC
Justin Tin
Larry Yee

March 10-11, 2005

Contractors State License Board
Hearing Room at Board Headquarters
9821 Business Park Drive
Sacramento, California 95827
(916) 445-3021

*Action maybe taken on any
item listed on the agenda.
Order of business and times
are subject to change.*

*The Mission of the Acupuncture Board is to benefit and protect the public through appropriate regulation
of licensure, education standards, and enforcement of the Acupuncture Licensure Act.*

AGENDA

**Thursday, March 10, 2005
8:30 am – 5:00 pm**

1. **Call to Order and Establishment of a Quorum (S.Asplund, Chair)**
2. **Welcome and Introduction of New Board Members**
3. **Chair's Report – Shari Asplund**
4. **Executive Officer's Report – Marilyn Nielsen**
5. **Approval of June 7, 2004 Meeting Minutes**
6. **Administrative Business – (Discussion/Action)**
 - a. **Education Curriculum Rulemaking File** (California Regulatory Notice Register #Z-03-0520-10) Amending Title 16, California Code of Regulations Sections 1399.415, 1399.416, and 1399.436, and Adding Sections 1399.434 and 1399.435
 1. Department of Consumer Affairs Approval August 2004
 2. Office of Administrative Law's Approval October 5, 2004
 3. Distribution of Notice of Approved Curriculum Regulations to Approved Schools and General Mailing List
 4. Request to Approved Schools for Verification of Implementation
 - b. **California Performance Review** (released July 30, 2004) and **Governor's Reorganization Plan 1** (released January 6, 2005) – Reforming California's Boards and Commissions

- c. Business and Professions Code Section 4934.1 – **Little Hoover Commission’s Study** and Evaluation Requirements on the Scope of Practice and Educational Requirements of an Acupuncturist, School Approval Process and Use of National Exam.
 1. Little Hoover Commission – Regulation of Acupuncture September 2004 Report
 2. Ratification of Board’s October 8, 2004 Response to Joint Committee on Boards, Commissions and Consumer Protection, addressing the Little Hoover Commission’s September 2004 Findings and Recommendations
- d. **Board’s 2004/2005 Sunset Review**
 1. Ratification of Board’s September 1, 2004 Sunset Review Report
 2. Joint Committee on Boards, Commissions and Consumer Protection – Background Paper for Acupuncture Board’s January 4, 2005 Hearing (released December 20, 2004)
 3. Joint Committee on Boards, Commissions and Consumer Protection – 2005 Cross-Cutting Issue for all Boards Under the Department of Consumer Affairs
 4. Ratification of Board’s January 3, 2005 Response to Joint Committee’s Sunset Background Paper
 5. Joint Committee’s January 4, 2005 Acupuncture Board Sunset Hearing
 6. Joint Committee’s January 10, 2005 Preliminary Staff Recommendations
7. Proposed Regulatory Amendments to Title 16, California Code of Regulations to Comply with Recommendations of Joint Committee
 - a. **Amend Section 1399.403** – definition of primary health care and adding diagnosis.
 - b. **Amend Sections 1399.450, 1399.451 and 1399.454** – requiring single-use disposable needles only.
 - c. **Amend Article 8, Sections 1399.480, 1399.481, 1399.483, 1399.484, 1399.485, 1399.486, 1399.487, 1399.488, 1399.489, 1399.489.1** – relating to the continuing education program.
8. Joint Committee Issues Requiring Further Board Discussion/Action
 - a. Use of Assistants
 - b. Other Professions with Overlapping Jurisdiction
 - c. School Approval/Accreditation Process
 - d. California Acupuncture Licensing Examination (CALE)
9. Legislative Bills Introduced by Assemblyman Leland Yee Relating to the Acupuncture Profession
10. Misc. Proposed Regulatory Amendments to Title 16, California Code of Regulations
 1. **Amend Section 1399.465** – Citation Fines
 2. **Amend Article 6 - Miscellaneous Provisions** – Complaint Disclosure
11. **Public Comment Period:** Public comment will be taken on items other than those on the agenda; no discussion or action will be taken on these items, but consideration will be made to place them on a future meeting agenda.
12. **Adjournment**

Friday, March 11, 2005
8:30 am – 5:00 pm

- 1. Call to Order and Establishment of a Quorum (S.Asplund,Chair)**
- 2. Chair's Comments – Shari Asplund**
- 3. Executive Officer's Comments – Marilyn Nielsen**
- 4. Administrative Business – (Discussion/Action)**
 - a. Budget Updates**
 1. Attorney General's 2004 Rate Increases
 2. Fiscal Year 2004/2005 Mid Year Report
 3. 2005/2006 Budget Change Proposal - Office Assistant (Chinese Translator)
 4. Fiscal Year 2005/2006 Proposed Governor's Budget Summary
- 5. Examination Business – (Discussion/Action)**
 - a. July 30, 2004 Licensing Examination Performance Reports
 - b. 2004 Revised Examination Book Reference List
 - c. January 13, 2005 Licensing Examination Performance Reports
- 6. Enforcement Business – (Discussion/Action)**
 - a. Fiscal Year 2003/2004 Year End Enforcement Case Report
 - b. Fiscal Year 2004/2005 Mid Year Enforcement Case Report
- 7. Education Business – (Discussion/Action)**
 - a. China International Medical University, Los Angeles, CA – Attorney General's Proceedings to Withdraw Board Approval
 - b. Pending School Site Visits
- 8. Set Remaining 2005 Acupuncture Board Meeting Dates and Locations**
- 9. Election of Officers for 2005**
- 10. CLOSED SESSION: Pursuant to Government Code Section 11126 (c) (1) and (c)(3) to discuss/take action on examination administration and disciplinary actions.**
- 11. Public Comment Period:** Public comment will be taken on items other than those on the agenda; no discussion or action will be taken on these items, but consideration will be made to place them on a future meeting agenda.
- 12. Adjournment**

***THIS AGENDA, AS WELL AS BOARD MEETING MINUTES, CAN BE FOUND ON
THE ACUPUNCTURE BOARD'S WEBSITE AT
www.acupuncture.ca.gov***

Please Note: Board meetings are open to the public and are held in barrier free facilities that are accessible to the physically challenged in accordance with the Americans with Disabilities Act (ADA). If you need additional reasonable accommodations as defined by the ADA, you must make your request no later than five (5) business days before this meeting. Please direct any questions regarding this meeting to Janelle Wedge, Administrative Coordinator, at (916) 445-3021; FAX (916) 445-3015.